

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TONI LARUSSO, *individually and on behalf
of all others similarly situated,*

Plaintiff,

v.

CVS HEALTH CORPORATION & CVS
PHARMACY, INC.,

Defendants.

No. 21-CV-10849 (KMK)

ORDER

KENNETH M. KARAS, United States District Judge:

The Second Circuit currently is currently reviewing the Court's decision in *Calchi, et al. v. Glaxosmithkline*, No. 22-CV-1341. (See Dkt. No. 48, 22-CV-1341 Dkt.) As the Second Circuit's decision in *Calchi* will provide binding precedent for the Court to follow in addressing Defendants' pending Motion To Dismiss where such precedent is currently unavailable in this Circuit, the Court will stay this case until the Second Circuit issues its decision.

The Clerk of Court is respectfully directed to stay this case.

Within seven days of the Second Circuit issuing its opinion, the Parties are to submit a joint letter to the Court providing an update as to the status of the case.

SO ORDERED.

Dated: August 29, 2023
White Plains, New York



KENNETH M. KARAS
United States District Judge